

Enrolled Senate Bill 170

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CHAPTER

AN ACT

Relating to assaults in the workplace; amending ORS 163.160.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 163.160 is amended to read:

163.160. (1) A person commits the crime of assault in the fourth degree if the person:

- (a) Intentionally, knowingly or recklessly causes physical injury to another;
- (b) With criminal negligence causes physical injury to another by means of a deadly weapon;

or

(c) With criminal negligence causes serious physical injury to another who is a vulnerable user of a public way, as defined in ORS 801.608, by means of a motor vehicle.

(2) Assault in the fourth degree is a Class A misdemeanor.

(3) Notwithstanding subsection (2) of this section, assault in the fourth degree under subsection (1)(a) or (b) of this section is a Class C felony if the person commits the crime of assault in the fourth degree and:

(a) The assault is committed in the immediate presence of, or is witnessed by, the person's or the victim's minor child or stepchild or a minor child residing within the household of the person or victim;

(b) The person has been previously convicted of violating this section or ORS 163.165, 163.175, 163.185, 163.187 or 163.190, or of committing an equivalent crime in another jurisdiction, and the victim in the previous conviction is the same person who is the victim of the current crime;

(c) The person has at least three previous convictions for violating this section or ORS 163.165, 163.175, 163.185, 163.187 or 163.190 or for committing an equivalent crime in another jurisdiction, in any combination; [or]

(d) The person commits the assault knowing that the victim is pregnant[.]; or

(e)(A) The assault is committed against a victim who is performing official duties as part of the victim's employment; and

(B) The person has two or more previous convictions for violating this section or ORS 163.165, 163.175 or 163.185, or for committing an equivalent crime in another jurisdiction, in any combination, and at least two of the previous assaults were committed against a victim who was performing official duties as part of the victim's employment.

(4) If a person is convicted of misdemeanor assault in the fourth degree constituting domestic violence as an element of the crime as described ORS 132.586, the court shall ensure that the judgment document reflects that the conviction constitutes domestic violence.

(5) For purposes of subsection (3) of this section, an assault is witnessed if the assault is seen or directly perceived in any other manner by the child.

Passed by Senate March 13, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House June 4, 2025

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Julie Fahey, Speaker of House

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State